

**DISPOSITION:** December 17, 1943. The City Wholesale Co., Inc., claimant, having admitted that a portion of the flour was contaminated as alleged in the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation of the unfit portion, under the supervision of the Food and Drug Administration. On December 21, 1943, the unfit portion having been segregated, a further decree was entered, ordering that portion denatured for use as animal feed, under the supervision of the Food and Drug Administration, and that the claimant be authorized to sell or otherwise dispose of the good portion in the usual course of trade.

**6221. Adulteration of flour. U. S. v. 18 Bags of Flour. Decree of condemnation. Product ordered sold to be denatured and used for hog feed. (F. D. C. No. 11642. Sample Nos. 37378-F, 37394-F.)**

**LIBEL FILED:** January 17, 1944, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about August 11, 1943, from Buffalo, N. Y.

**PRODUCT:** 18 100-pound bags of flour at Chambersburg, Pa., in possession of the Lakeview Milling Co., Inc.

The flour was stored under insanitary conditions after shipment. The warehouse was infested with rodents, and rodent pellets and urine stains were noted on the bags. Samples of the flour were found to be contaminated with rodent urine.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent pellets and rodent urine; and Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** February 14, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to be denatured and used for hog feed.

**6222. Adulteration of self-rising flour. U. S. v. 221 Bags of Enriched Self-Rising Flour. Default decree of condemnation and destruction. (F. D. C. No. 11731. Sample No. 53266-F.)**

**LIBEL FILED:** February 5, 1944, Eastern District of North Carolina.

**ALLEGED SHIPMENT:** On or about December 22, 1943, from Norfolk, Va.

**PRODUCT:** 221 10-pound bags of flour at Kinston, N. C., in possession of the Kinston Wholesale Grocery Co.

The flour was stored under insanitary conditions after shipment. Many of the bags were rodent-gnawed and contained urine stains. Rodent excreta was found on the bags and on the floor around the stack. Examination showed that the product contained rodent excreta, rodent hairs, and insect fragments.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** April 11, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6223. Adulteration of phosphated flour and self-rising flour. U. S. v. 58 Bags of Enriched Phosphated Flour and 71 Bags of Self-Rising Enriched Flour. Default decree of condemnation and destruction. (F. D. C. No. 11877. Sample Nos. 35008-F, 35009-F.)**

**LIBEL FILED:** February 22, 1944, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about January 25, 1944, from Memphis, Tenn.

**PRODUCT:** 58 bags, each containing 25 pounds, of phosphated flour, and 71 bags, each containing 25 pounds, of self-rising flour at Atlanta, Ga., in possession of Colonial Stores, Inc.

The flour was stored under insanitary conditions after shipment and the bags bore rodent urine stains and rodent excreta pellets; holes had been cut in some bags by rodents. Examination showed that the flour was contaminated with rodent urine.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** March 28, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6224. Adulteration of self-rising and plain flour, and misbranding of phosphated flour. U. S. v. 32 Bags of Flour (and 3 other seizure actions against flour). Decrees of condemnation. Portion ordered released under bond to be denatured for use as animal food; remainder ordered destroyed.** (F. D. C. Nos. 10439, 10523, 12116, 13092. Sample Nos. 9968-F, 41097-F, 61477-F, 63550-F.)

**LIBEL FILED:** Between August 20, 1943, and August 3, 1944, Eastern and Western Districts of Louisiana, Southern District of Georgia.

**ALLEGED SHIPMENT:** From on or about December 28, 1942, to March 15, 1944, by the Quaker Oats Co., Sherman, Tex., and St. Joseph, Mo.

**PRODUCT:** 32 98-pound bags of flour at Opelousas, La., 988 sacks, each containing 5 pounds, of flour at Lafayette, La., 110 24-pound sacks of flour at New Orleans, La., and 300 bags, each containing 25 pounds, of flour at Dublin, Ga.

**LABEL, IN PART:** (32 bags) "Smith's Challenge Hard Wheat Bleached Flour," (988 sacks) "5 Lbs. Net La Belle Enriched Phosphated Flour Bleached \* \* \* Manufactured for Consolidated Companies, Inc.," (110 sacks) "Davis' Golden Sheaf Flour Bleached," and (300 bags) "Sea Breeze Self Rising Flour Bleached."

**VIOLATIONS CHARGED:** Adulteration (Opelousas, New Orleans, and Dublin lots), Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, weevils, and larvae.

Misbranding (remaining lot, "La Belle" brand), Section 403 (a), the statement "5 Lbs." was false and misleading as applied to a product that was short weight; and, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** September 13, 1944. W. R. Werden Co., Dublin, Ga., claimant for the lot at Dublin, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use as animal feed, under the supervision of the Food and Drug Administration. Between October 20, 1943, and May 29, 1944, no claimant having appeared for the other lots, judgments of condemnation were entered and the product was ordered destroyed.

**6225. Adulteration of self-rising flour and plain flour. U. S. v. 34 Sacks of Self-Rising Enriched Flour and 47 Bags of Plain Flour. Default decrees of condemnation. Product ordered disposed of as animal feed.** (F. D. C. Nos. 11661, 12003. Sample Nos. 35686-F, 37398-F.)

**LIBELS FILED:** January 18 and March 18, 1944, Western District of South Carolina and District of Maryland.

**ALLEGED SHIPMENT:** On or about November 30, 1943, and January 20, 1944, by the Lakeview Milling Co., from Chambersburg, Pa.

**PRODUCT:** 16 sacks, each containing 24 pounds; 12 sacks, each containing 48 pounds; and 6 sacks, each containing 96 pounds, of self-rising flour at Abbeville, S. C., and 47 bags, each containing 100 pounds, of plain flour at Baltimore, Md.

**LABEL, IN PART:** (Sacks) "Sun Rise Self Rising Flour Bleached Enriched," (bags) "Best Short Winter Wheat Excellent Patent Flour Bleached."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and mites; and, Section 402 (a) (4) (Baltimore lot), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** February 25 and April 29, 1944. No claimant having appeared, judgments of condemnation were entered. The lot at Abbeville was ordered delivered to an orphanage, to be used for hog feed, and the Baltimore lot was ordered sold for animal feed.

**6226. Adulteration of self-rising flour. U. S. v. 375 Bags of Self Rising Flour. Default decree of condemnation. Product ordered delivered to a Federal correctional institution, for use as hog feed.** (F. D. C. No. 10710. Sample No. 35803-F.)

**LIBEL FILED:** September 10, 1943, Northern District of Florida.

**ALLEGED SHIPMENT:** On or about July 7, 1943, by the Dixie Portland Flour Co., from Mobile, Ala.